

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>CYRUS R. SANDERS,</b>	:	
	:	
<b>Plaintiffs</b>	:	<b>CIVIL NO. 1:14-CV-00288</b>
	:	
<b>v.</b>	:	<b>(Judge Kane)</b>
	:	
<b>DOMINICK L. DEROSE, et al.,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

**NOW, THEREFORE, THIS 30<sup>th</sup> DAY OF SEPTEMBER, 2015, upon consideration of Defendants' Motion to Dismiss (Doc. No. 20) and for the reasons set forth in the accompanying Memorandum, IT IS HEREBY ORDERED THAT:**

- 1) The Motion to Dismiss is **GRANTED** as follows:
  - a) Plaintiffs' claim of retaliation due to the filing of a misconduct report on June 13, 2012 is **DISMISSED** with prejudice.
  - b) Plaintiff's claim of retaliation based on the Defendant Rose's threatening remarks is **DISMISSED** with prejudice.
  - c) All other claims in the complaint are **DISMISSED** without prejudice
- 2) Plaintiff may, if he so chooses, file an amended complaint within thirty (30) days of the date of this order.

S/ Yvette Kane

YVETTE KANE  
United States District Judge  
United States District Court  
Middle District of Pennsylvania